

4303. Adulteration of canned tomatoes. U. S. * * * v. 100 Cases. * * *
of * * * Tomatoes. Default decree of condemnation, forfei-
ture, and destruction. (F. & D. No. 6845. I. S. No. 1907-1. S. No.
E-385.)

On September 1, 1915, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases, each containing two dozen cans, of tomatoes, remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the product had been shipped on or about August 13, 1915, and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled, in part: "2 doz. No. 2 Ruxton Brand Tomatoes net weight on label. Packed by Mantik Packing Co. Baltimore, Md."

Adulteration was alleged in the libel for the reason that the said food and food product contained approximately 15 per cent added water.

On September 21, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*